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January 17, 2025

PUDSP-22-6 The Villages at Sterling Ranch
Minor Subdivision

Reviewed by: Lori Seago, Senior Assistant County Attorney
April Willie, Lead Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Classic SRJ Land, LLC (“Applicant”), to subdivide an approximately 39.2 +/- acre tract of land (“the property”) into 227 residential lots. The project includes 54 duplex units, 135 single-family units, and up to 38 possible additional dwelling units. The property is currently zoned RR-5 (Residential Rural) with plans to rezone to PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the Applicant estimated its annual water needs to serve this subdivision at 67.64 acre-feet/year comprised of indoor use in the amount of 62.80 acre-feet/year and irrigation in the amount of 4.84 acre-feet per year. Based on the above, the Applicant must provide a supply of 20,292 acre-feet of water (67.64 acre-feet/year x 300 years) to meet the County’s 300-year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Falcon Area Water and Wastewater Authority (“FAWWA” or “Authority”). The *Water Resources Report* (“Report”) indicates the Authority’s water supply is sourced from on-site non-tributary water rights, including water from Denver, Arapahoe and Laramie-Fox Hills aquifer wells. The *Report* indicates that the current developed physical supply is 1,963.54 annual acre-feet/300 years. The

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total water commitment is currently at 1,034.34 annual acre-feet/300 years as of August 30, 2024. There is thus a net excess of currently available water of 929.2 acre-feet/300 years.

4. The Falcon Area Water & Wastewater Authority provided a letter of commitment for The Villages at Sterling Ranch dated November 5, 2024, in which the Authority committed to providing water service for an annual water requirement of up to 67.64 acre-feet/year.

State Engineer's Office Opinion

5. In a letter dated December 12, 2024, the State Engineer's Office reviewed the application for the subdivision of the 39.2-acre parcel into 227 high density residential lots. The State Engineer stated that "[t]he source of water for the proposed development is to be served by Falcon Area Water and Wastewater Authority." Further, the State Engineer stated that ". . . pursuant to section 30-28-136(1)(h)(I) and section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for The Villages at Sterling Ranch is 67.64 acre-feet per year for 300 years, to be supplied by FAWWA. **Based on the Authority's available water supply of approximately 929.2 annual acre-feet, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for The Villages at Sterling Ranch.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated August 2024, the *Falcon Area Water & Wastewater Authority* letter dated April 15, 2024, and the *State Engineer Office's Opinion* dated December 12, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc: Kari Parsons, Project Manager, Planner